

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

INSULET CORP.,
Plaintiff-Appellee

v.

EOFLOW, CO. LTD., EOFLOW, INC.,
Defendants-Appellants

**STEVEN DIANNI, LUIS J. MALAVE, IAN G.
WELSFORD, JESSE J. KIM, FLEXTRONICS
MEDICAL SALES AND MARKETING LTD.,**
Defendants

2024-1137

Appeal from the United States District Court for the
District of Massachusetts in No. 1:23-cv-11780-FDS, Judge
F. Dennis Saylor, IV.

SUA SPONTE

Before LOURIE, PROST, and STARK, *Circuit Judges*.
PER CURIAM.

O R D E R

Having heard oral argument in this appeal and considering the traditional factors governing a stay pending judicial review, *see Nken v. Holder*, 556 U.S. 418, 426, 434 (2009),

IT IS ORDERED THAT:

The district court's preliminary injunction order dated October 24, 2023 is stayed pending further order of the court.

As will be explained in a forthcoming opinion, Insulet has not met its burden to show that it should be granted the extraordinary relief of a preliminary injunction. To the extent that the April 24, 2024 Second Amended Preliminary Injunction (which is not part of this appeal) relies on reasoning similar to that which resulted in the October 24, 2023 order, the district court should consider whether to stay the April 24, 2024 order as well.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

May 7, 2024
Date